IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 331/2006
NOOR MOHAMMAD Vs. SMT. CHOTI

DATE: 10.01.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Mohd. Irfan Khan for the petitioner.
Mr. Subhash Jain for the respondents.

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This criminal revision petition under Section 397 read with Section 401 Cr.P.C. is directed against the judgment dated 21.04.2005 passed by the Family Court No.2, Jaipur in Case No. 459/2002, whereby he allowed the application filed by the respondent under Section 125 Cr.P.C. for maintenance and awarded Rs. 2,000/- per month.

This judgment passed by the Family Court has been challenged by the petitioner on the ground that the respondent is living separately since 14.11.87 and further submits that the income of the petitioner has been wrongly assessed by the Family Court and has wrongly arrived at a conclusion that the petitioner is earning Rs. 20,000/- per month and without considering the submissions made by the petitioner, has awarded Rs. 2,000/- per month as maintenance.

I have considered the submissions made by the learned counsel for the petitioner, learned counsel for the respondent and have also gone through the impugned judgment dated 21.04.2005 passed by the Family Court No.2, Jaipur.

The Family Court has considered each and every aspect including the income of the petitioner and has granted Rs. 2,000/- per month is maintenance, which cannot said to be disproportionate and unreasonable. In such circumstances, I do not want to interfere in the impugned judgment dated 21.05.2005 passed by the Family Court No.2, Jaipur.

Consequently, the revision petition fails and the same is hereby dismissed.

(K.S. RATHORE),J.

/KKC/